

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RECEIVED-CLERK
U.S. DISTRICT COURT

OCT 28 10:29

DEMOCRATIC NATIONAL
COMMITTEE,
et al.,

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE,
et al.

Defendants.

Civil Action No.: 81-3876

JUDGE DICKINSON R.
DEBEVOISE

MOTION TO INTERVENE AND REOPEN CASE

Disclosure of Location of Parties Under L.R. 10.1(A)

1. Ebony Malone is located at 7908 Euclid Avenue, Apartment 503, Cleveland, Ohio 44103.
2. Irving Agosta is located at 2234 West 20th Street, Cleveland, Ohio 44113.
3. Plaintiff Democratic National Committee has its principal place of business located at 430 South Capitol Street, S.E., Washington, D.C. 20003.
4. Defendant Republican National Committee has its principal place of business located at 310 First Street, S.E., Washington, D.C. 20003.

Motion

Proposed Intervenors, are newly registered African-American voters in Ohio who learned within the last few days that their names are on a 35,000-person list of challenged voters, which appears to have been compiled and used in violation

of Consent Decrees entered in this case. The fact that their names are on this challenge list places in jeopardy their right to vote on election day next Tuesday. Consequently, these voters move on an emergency basis to intervene in and reopen this case, and for expedited discovery for the purpose of enforcing the Consent Decrees. The Democratic National Committee ("DNC") was the Plaintiff in the original action. It entered into Consent Decrees with Defendant Republic National Committee ("RNC") designed to protect the rights of minority voters against intimidation and interference with their right to vote. The Consent Decrees were intended for the benefit of minority voters; and Intervenor respectfully request that this Court allow them to intervene under Fed. R. Civ. P. Rules 71 and 24.

Respectfully submitted,



John W. Nields, Jr.

Patricia G. Butler

Laura S. Shores

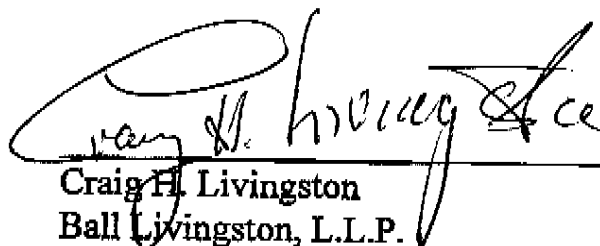
Ari N. Rothman

**HOWREY SIMON ARNOLD & WHITE,
LLP**

1299 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

(202) 783-0800



Craig H. Livingston

Ball Livingston, L.L.P.

661 Franklin Avenue

Nutley, New Jersey 07110

Judith A. Browne
Edward Hailes
Advancement Project
1730 M St., NW Suite 910
Washington, D.C. 20036
(202) 728-9557

Dated: October 27, 2004

Counsel for Interveners

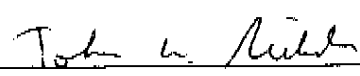
CERTIFICATE OF SERVICE

I hereby certify that, on this 27th day of October, 2004, true copies of the foregoing Motion to Intervene and Reopen Case were served by messenger, facsimile and federal express, postage prepaid, upon each of the parties listed below:

Democratic National Committee
430 South Capitol Street, S.E.
Washington, DC 20003

Republican National Committee
310 First Street, S.E.
Washington, DC 20003

RECEIVED
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA
OCT 28 2004
10:29 AM



Attorney for Interveners